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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

LEE, TOMMY D

ART UNIT PAPER NUMBER

2625

DATE MAILED: 08/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/991,804

Applicant(s)

PARRY, TRAVIS J.

Examiner

Thomas D. Lee

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 May 2006 and 23 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 23, 2006 has been entered.

### ***Response to Amendment***

2. This Office action is responsive to applicant's amendment filed May 17, 2006. Claims 1-20 are pending.

### ***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 15-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. These claims recite functional descriptive material comprising a computer program or algorithm that imparts functionality when employed as a computer component. Functional descriptive material must be embodied on a computer *readable* medium (not computer-usable medium, as recited in the current claims) to impart its functionality (see MPEP 2106.IV.B. 1(a)).

***Claim Rejections - 35 USC § 103***

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 1-3, 5, 6, 8-10 and 12-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,078,400 (Mizutani) in view of U.S. Patent 5,845,057 (Takada et al., hereinafter Takeda).

Regarding claim 1, Mizutani discloses an imaging device, comprising: a processor adapted to compile error information when an error is detected, wherein the error is based on one or more imaging device processes (error detecting device detects an error in processes (column 7, lines 28-31)); a print engine coupled to the processor and adapted to produce tangible output images (image data generating device analyzes print data from print control device, and generates image data such as bitmap data (column 7, lines 8-17)); and a storage device coupled to the processor, wherein the processor is adapted to store the error information for one of more of transmission, retrieval, and disposal of the error information based on user criteria (image data storing device stores image data as error information, which is sent by error information sending device to client apparatuses (column 7, lines 32-37)).

Regarding claim 3, Mizutani further discloses a control panel coupled to the processor and adapted to enable access of the error information (error information may be alternatively displayed according to user's selection (column 10, lines 32-36)).

Regarding claim 8, Mizutani discloses a method of error archiving for an imaging device, comprising: monitoring system operations for the imaging device (error

Art Unit: 2625

detecting device detects an error in processes (column 7, lines 28-31)); when an error is detected, compiling information about the error into an error file for one or more of storage, transmission, retrieval, and disposal (image data storing device stores image data as error information (column 7, lines 32-37)).

Regarding claims 10 and 14, Mizutani further discloses transmitting the compiled error information to an output device or associated imaging device administration program (error information sent by error information sending device to client apparatuses (column 7, lines 32-37)).

Claims 15 and 18 recite a computer-usable medium for performing the method steps recited in claims 8 and 14, respectively. Mizutani discloses such a medium (CD-ROM, floppy disk or the like (column 11, lines 1-11)).

Mizutani does not disclose error information for two or more errors stored in the storage device or error file, wherein the error information includes two or more of a location where the error occurred, a type of error detected, a program address where the error occurred, contents of the file being processed when the error occurred, sequence of events that led up to the error, type of file being processed when the error occurred, size of the file being processed when the error occurred, and a stack trace, as now recited in claims 1 and 8; or error information comprising user error information and administrator error information, including the location where the error occurred, the type of error detected, and one or more of the program address where the error occurred, contents of the file being processed when the error occurred, sequence of events that led up to the error, type of file being processed when the error occurred, size of the file

Art Unit: 2625

being processed when the error occurred, and a stack trace, as recited in claims 2, 5 and 6, and as similarly recited in claims 9, 12, 16 and 19; determining correction procedures based on the detected error, as recited in claims 13 and 20; or printing the compiled error information, as recited in claim 17.

Takeda discloses a document management table and error detection table that store error information for two or more errors (noting Fig. 12, error information stored under EXECUTION STATE for documents 1 and 2; noting Fig. 13, error information stored for four different types of errors). Takeda further discloses a print processing method for a plurality of printing apparatuses connected to a network, wherein a report sheet image is generated, showing, in addition to a name of a substitute printing apparatus, a current state of the apparatus having an error, measures to remove the error, etc. (read Abstract). The report sheet image displays user and administrator error information (column 9, line 32 – column 10, line 53; Figs. 8-11)). The report sheet is, in fact, a type of storage device, for the information regarding the errors are “stored” on the sheet. It has been recognized in the art that a sheet of paper with printed information thereon is a type of storage medium for that information.

The error information disclosed in Mizutani comprises image data recorded when the error occurred, and thus does not inform a user of the type of error that has taken place. By providing a storage device, in the form of a report sheet as disclosed in Takeda, a user can easily determine why an error occurred, and thus determine how to remedy the situation. Therefore, it would have been obvious for one of ordinary skill in

Art Unit: 2625

the art to modify the teaching of Mizutani by providing a printout of error information, as disclosed in Takeda.

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mizutani in view of Takeda as applied to claim 1 above, and further in view of U.S. Patent 5,956,487 (Venkatraman et al., hereinafter Venkatraman).

Mizutani in view of Takeda does not disclose an embedded web server coupled to the processor, wherein the embedded web server is adapted to interface between the processor and one or more user-identified addresses.

Venkatraman discloses an embedded web access mechanism for user interface functions including a web server and web browser, enabling a user to access a web page by a web browser (read Abstract). With a web server embedded within a device that has experienced an error or malfunction, a user is able to contact a web site that offers service or support, so that the user may obtain information for resolving the error or malfunction without delay. Therefore, it would have been obvious for one of ordinary skill in the art to modify the combined teaching of Mizutani and Takeda by providing an embedded web server, as disclosed in Venkatraman.

8. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mizutani in view of Takeda as applied to claim 1 above, and further in view of Japanese Document 5-318887 (Sudo et al., hereinafter Sudo).

Neither Mizutani nor Takeda disclose one or more of an SRAM, DRAM, non-volatile memory, register, magnetic media, and optical media, as the storage device (Takeda records error information on a report sheet, as mentioned above).

Sudo discloses a printer with a detachable memory card consisting of a non-volatile memory for storing history information on various errors (read Abstract: CONSTITUTION; paragraphs 0032, 0036, 0041-0045 of English translation). When printing out error information on a report sheet, as taught by Takeda, a user may encounter the problem of misplacing the report sheet, and thus losing the information because it was not stored within the printer. By providing non-volatile memory for storage of error information, a user can access such information without the worry of losing the information. Therefore, it would have been obvious for one of ordinary skill in the art to modify the combined teaching of Mizutani and Takeda, by providing a non-volatile memory for storing the error information, as disclosed in Sudo.

9. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mizutani in view of Takeda as applied to claim 8 above, and further in view of U.S. Patent 6,108,099 (Ohtani).

Neither Mizutani nor Takeda disclose transmitting administration error information to one or more user-designated addresses, wherein the one or more user designated address comprise one or more e-mail addresses, web addresses, printer addresses, facsimile addresses and http addresses, as recited in claim 11.

Ohtani discloses an image forming apparatus and management system, wherein an address of a predetermined network terminal is stored in memory, and an e-mail is produced by the image forming apparatus and sent to the network terminal when an abnormal condition is detected (read Abstract). By providing such a feature, a user is able to contact a supplier immediately when an abnormal condition occurs, without



Art Unit: 2625

having to manually generate an order, thereby minimizing the amount of time the device is inoperable due to the abnormal condition. Therefore, it would have been obvious for one of ordinary skill in the art to modify the combined teaching of Mizutani and Takeda by providing transmission of administration error information, such as disclosed in Ohtani.

### ***Response to Arguments***

10. Applicant's arguments filed in response to the rejections of the claims as set forth in the prior Office action have been fully considered but they are not persuasive. The examiner agrees with applicant's assertion that Mizutani does not compile error information as recited in the claims (pages 6 and 7 of applicant's current response). However, the examiner does not agree with applicant's assertion that there is no motivation or suggestion to modify Mizutani and Takeda in the manner set forth in the prior Office action (pages 8-10 with regard to base claim 1, pages 10 and 11 with regard to base claims 8 and 15). In particular, applicant states that Takeda expressly teaches away from the claimed invention, by printing a report sheet for each error, not storing the error, and only printing the error code/remedial action required and the substitute print destination. Contrary to applicant's assertion, Takeda does not expressly teach away from the claimed invention, for there is no statement in Takeda expressly prohibiting the storing of the error. Furthermore, as mentioned above, the report sheet is a type of storage device, since the error information is "stored" on the sheet. As for applicant's assertion that the Office action does not provide a convincing line of reasoning as to why an artisan would have found the claimed invention to have been

Art Unit: 2625

obvious in light of the teachings of the reference (pages 8 and 9), such reasoning was clearly set forth in the prior Office action, and is repeated above in the rejections of base claims 1, 8 and 15.

Applicant further contends (pages 12 and 13) that combining the elements of Mizutani, Takeda, and either Venkatraman or Ohtani, fails to teach or suggest all elements of base claim 1 and 8, and thus also fails to teach or suggest all elements of dependent claims 4 and 11. Contrary to applicant's argument, the combined teachings of the references suggest applicant's claimed invention. The rejections of claims 4 and 11 are set forth above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas D. Lee whose telephone number is (571) 272-7436. The examiner can normally be reached on Monday-Friday, 7:30-5:00, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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